

application before those dates. All acts relied upon to establish the date prior to the Li *et al.* and Cargo *et al.* references were carried out in the United States.

Pursuant to 37 C.F.R. § 1.131(b), Applicant respectfully submits that he has demonstrated facts sufficient to remove Cargo *et al.* and Li *et al.* as prior art. The declaration submitted herewith is made to facilitate prosecution of the application and is not an admission that the invention is otherwise anticipated or rendered obvious by Cargo *et al.*, Li *et al.* or the combination of Cargo *et al.* and Li *et al.* Applicant therefore reserves further comment on the merits of these grounds of rejection at a later date if necessary in view of the enclosed declaration.

The Examiner is therefore respectfully requested to reconsider and withdraw the rejections of claims 68 and 70-71 under 35 U.S.C. §102(e) as being anticipated by Li *et al.*, the rejections of claims 68 and 70-71 under 35 U.S.C. §102(e) as being anticipated by Cargo *et al.* and the rejection of claims 69 and 72 under 35 U.S.C. §103(a) as being obvious over these references.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
DORSEY & WHITNEY LLP



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MWR:sj

Enclosures:

Postcard
Fee Transmittal Sheet (+ copy)
Declaration Under 37 C.F.R. § 1.131
Exhibit A

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